

REMARKS

Applicants respectfully request entry of the following amendments and remarks contained herein in response to the Office Action mailed September 4, 2007. Applicants respectfully submit that the amendments and remarks contained herein place the instant application in condition for allowance.

Upon entry of the amendments in this response, claims 1 – 19 are pending. In particular, Applicants amend claims 1 – 19. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Examiner Interview

Applicants first wish to express their sincere appreciation for the time that Examiner Truong spent with Applicants' Attorney, Anthony Bonner, during a telephone discussion on October 16, 2007 regarding the outstanding Office Action. During that conversation, Examiner Truong and Mr. Bonner discussed potential arguments and amendments with regard to claim 1, in view of *Appelman*. The general thrust of the potential principal arguments included a discussion of at least one embodiment of the present application disclosing that the email receive window is configured to provide IM presence information associated with the IM address of the contact of the user. Thus, Applicants respectfully request that Examiner Truong carefully consider this response and the amendments.

II. Rejections Under 35 U.S.C. §103

A. Claim 1 is Allowable Over *Knauerhase* in view of *Appelman*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 ("*Knauerhase*") in view of U.S. Patent Number 6,912,564 ("*Appelman*"). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Appelman* fails to disclose, teach, or

suggest all of the elements of claim 1, as amended. More specifically, claim 1, as amended, recites:

A method processed by a computing device at a user location, comprising:

receiving, by the computing device at the user location, an instant messaging (IM) address of a contact of a user;

receiving, by the computing device at the user location, an email address of the contact of the user;

receiving, by the computing device at the user location, a reference identifier (ID), the reference identifier (ID) being adapted to identify the contact of the user;

correlating, by the computing device at the user location, the IM address to the reference identifier;

correlating, by the computing device at the user location, the email address to the reference identifier (ID); and

providing, by the computing device at the user location, an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an IM session with the contact from the email receive window, the email receive window including a launch IM option for launching the IM session.

(emphasis added)

Applicants respectfully submit that claim 1, as amended, is allowable over the cited art for at least the reason that neither *Knauerhase* nor *Appelman*, taken individually or in combination, discloses, teaches, or suggests a “method processed by a computing device at a user location, comprising... providing, by the computing device at the user location, an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an IM session with the contact from the email receive window, the email receive window including a launch IM option for launching the IM session” as recited in claim 1, as amended. More specifically, *Knauerhase* discloses “systems and techniques... that enable a sender to send a message to a recipient’s identity rather than, e.g., one or more device addresses associated with the recipient” (page 1, paragraph [0014]). However, *Knauerhase* fails to disclose an email window that is configured to provide IM presence information. More specifically, sending a

message to a recipient's identity is different than providing IM presence information in an email window.

Appelman fails to overcome the deficiencies of *Knauerhase*. More specifically, *Appelman* discloses “[a]n icon next to a person’s address in an e-mail message may indicate to the recipient that the person has IM capability” (column 14, line 24). Applicants respectfully submit that providing IM capability is different than providing IM presence. More specifically, as illustrated in FIG. 10, *Appelman* discloses the same “running man” icon next to “cbarker@asia.com (Chris Barker)” and “choysauce@aim.com (Dino Paxinos).” However, Chris Barker is indicated as being online (*i.e.*, present) and Dino is indicated as being offline (*i.e.*, not present). Since the same running man icon is used for both users, this icon cannot indicate IM presence. For at least this reason, claim 1, as amended, is allowable.

B. Claims 2 – 5 are Allowable Over *Knauerhase* in view of *Appelman*

The Office Action indicates that claims 2 – 5 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Number 2003/0023691 (“*Knauerhase*”) in view of U.S. Patent Number 6,912,564 (“*Appelman*”). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Appelman* fails to disclose, teach, or suggest all of the elements of claims 2 – 5. More specifically, dependent claims 2 – 5 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 1. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

C. Claim 6 is Allowable Over *Knauerhase* in view of *Donovan* and *Appelman*

The Office Action indicates that claim 6 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 ("*Knauerhase*") in view of U.S. Publication Number 2004/0193722 ("*Donovan*") and U.S. Patent Number 6,912,564 ("*Appelman*"). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Donovan* and *Appelman* fails to disclose, teach, or suggest all of the elements of claim 6, as amended. More specifically, claim 6, as amended, recites:

A method processed by a computing device at a user location, comprising:

receiving, by the computing device at the user location, user input, the user input comprising multiple instant messaging (IM) addresses of an individual contact of the user, the multiple IM addresses comprising IM addresses from different IM accounts, each of the different IM accounts being adapted to transmit and receive IM messages using a different IM protocol;

receiving, by the computing device at the user location, a reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact;

correlating, by the computing device at the user location, each of the multiple IM addresses to the reference identifier (ID); and

providing, by the computing device at the user location, an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an IM session with the individual contact from the email window, the email receive window including a launch IM option for launching the IM session.

(emphasis added)

Applicants respectfully submit that claim 6, as amended, is allowable over the cited art for at least the reason that *Knauerhase*, *Appelman*, and *Donovan*, taken individually or in combination, fail to disclose, teach, or suggest a "method processed by a computing device at a user location, comprising... providing, by the computing device at the user location, an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an

IM session with the individual contact from the email window, the email receive window including a launch IM option for launching the IM session” as recited in claim 6, as amended. More specifically, *Knauerhase* discloses “systems and techniques... that enable a sender to send a message to a recipient’s identity rather than, e.g., one or more device addresses associated with the recipient” (page 1, paragraph [0014]). However, *Knauerhase* fails to disclose an email window that is configured to provide IM presence information. More specifically, sending a message to a recipient’s identity is different than providing IM presence information in an email window.

Appelman fails to overcome the deficiencies of *Knauerhase*. More specifically, *Appelman* discloses “[a]n icon next to a person’s address in an e-mail message may indicate to the recipient that the person has IM capability” (column 14, line 24). Applicants respectfully submit that providing IM capability is different than providing IM presence. More specifically, as illustrated in FIG. 10, *Appelman* discloses the same “running man” icon next to “cbarker@asia.com (Chris Barker)” and “choysauce@aim.com (Dino Paxinos).” However, Chris Barker is indicated as being online (*i.e.*, present) and Dino is indicated as being offline (*i.e.*, not present). Since the same running man icon is used for both users, this icon cannot indicate IM presence. For at least this reason, claim 6, as amended, is allowable.

Further, *Donovan* fails to overcome the deficiencies of *Knauerhase* and *Appelman*. More specifically, *Donovan* discloses an “IM session manager software (an IM manager) which is used to establish and monitor each IM session including receiving and responding to commands from the user related to the instant messaging function and displaying information to the user related to the IM function” (page 1, paragraph [0009]). Applicants respectfully submit that this is different than claim 1 for at least the reason that responding to and displaying information related to an IM function is different than providing IM presence data in an email window. Additionally, nowhere else does *Donovan* disclose this feature. For at least this additional reason, claim 6, as amended, is allowable.

D. Claim 11 is Allowable Over *Knauerhase* in view of *Donovan* and *Appelman*

The Office Action indicates that claim 11 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Publication Number 2003/0023691 ("*Knauerhase*") in view of U.S. Publication Number 2004/0193722 ("*Donovan*") and U.S. Patent Number 6,912,564 ("*Appelman*"). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Donovan* and *Appelman* fails to disclose, teach, or suggest all of the elements of claim 11, as amended. More specifically, claim 11, as amended, recites:

A system processed by a computing device at a user location comprising:

first receive logic, processed by the computing device at the user location, the first receive logic configured to receive first user input, the first user input comprising multiple instant messaging (IM) addresses of an individual contact of the user, the multiple IM addresses comprising IM addresses from different IM accounts, each of the different IM accounts being adapted to transmit and receive IM messages using a different IM protocol;

second receive logic, processed by the computing device at the user location, the second receive logic configured to receive second user input, the second user input comprising a reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact;

correlate logic, processed by the computing device at the user location, the correlate logic configured to correlate each of the multiple IM addresses to the reference identifier (ID), the reference identifier (ID) being adapted to identify the individual contact; and

email window logic, processed by the computing device at the user location, to provide an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an IM session with the individual contact from the email window, the email receive window including a launch IM option for launching the IM session.

(emphasis added)

Applicants respectfully submit that claim 11, as amended, is allowable over the cited art for at least the reason that *Knauerhase*, *Appelman*, and *Donovan*, taken individually or in combination, fail to disclose, teach, or suggest a "system processed by a computing device at a user location comprising... email window logic, processed by the computing device at the user

location, to provide an email receive window configured to display a received email, ***the email receive window configured to provide IM presence information associated with the IM address of the contact of the user***, the email receive window configured to utilize the reference identifier (ID) for launching an IM session with the individual contact from the email window, the email receive window including a launch IM option for launching the IM session” as recited in claim 11, as amended. More specifically, *Knauerhase* discloses “systems and techniques... that enable a sender to send a message to a recipient’s identity rather than, e.g., one or more device addresses associated with the recipient” (page 1, paragraph [0014]). However, *Knauerhase* fails to disclose an email window that is configured to provide IM presence information. More specifically, sending a message to a recipient’s identity is different than providing IM presence information in an email window.

Appelman fails to overcome the deficiencies of *Knauerhase*. More specifically, *Appelman* discloses “[a]n icon next to a person’s address in an e-mail message may indicate to the recipient that the person has IM capability” (column 14, line 24). Applicants respectfully submit that providing IM capability is different than providing IM presence. More specifically, as illustrated in FIG. 10, *Appelman* discloses the same “running man” icon next to “cbarker@asia.com (Chris Barker)” and “choysauce@aim.com (Dino Paxinos).” However, Chris Barker is indicated as being online (*i.e.*, present) and Dino is indicated as being offline (*i.e.*, not present). Since the same running man icon is used for both users, this icon cannot indicate IM presence. For at least this reason, claim 11, as amended, is allowable.

Further, *Donovan* fails to overcome the deficiencies of *Knauerhase* and *Appelman*. More specifically, *Donovan* discloses an “IM session manager software (an IM manager) which is used to establish and monitor each IM session including receiving and responding to commands from the user related to the instant messaging function and displaying information to the user related to the IM function” (page 1, paragraph [0009]). Applicants respectfully submit that this is different than claim 1 for at least the reason that responding to and displaying

information related to an IM function is different than providing IM presence data in an email window. Additionally, nowhere else does *Donovan* disclose this feature. For at least this additional reason, claim 11, as amended, is allowable.

E. Claims 7 – 10 and 12 – 19 are Allowable Over *Knauerhase* in view of *Appelman*

The Office Action indicates that claims 7 – 10 and 12 – 19 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Number 2003/0023691 (“*Knauerhase*”) in view of U.S. Patent Number 6,912,564 (“*Appelman*”). Applicants respectfully traverse this rejection for at least the reason that *Knauerhase* in view of *Appelman* fails to disclose, teach, or suggest all of the elements of claims 7 – 10 and 12 – 19. More specifically, dependent claims 7 – 10 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 6. Further, dependent claims 12 – 19 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 11. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/afb/

Anthony F. Bonner Jr. Reg. No. 55,012

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1500
600 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500
Customer No.: **38823**